GENERAL AND REVENUE SECRETARIAT.

P 30E

1908-09
(Gen Finance)

File No. 127-08

Serial Nos. 26 27 31 32
38, 39 39(a)
40 41, 42

Papers Filed.

Month December 1910.

SUBJECT.

Claims of Sugamma a creditor of the Late Mr Basappa Urs

PREVIOUS REFERENCES.	LATER REFERENCES.
14--08 4 B. Aug 09 B. Aug 07 · 881-2 - Ab 50 - 07	

G.R.S.11] 1908-09

GENERAL AND REVENUE SECRETARIAT

(Gen Fin)

NOTES.

File No. 127

FILE HEADING.

Settlement of the affairs of the late Bakshi Barappaya Rs

From D. Sitaram Rao Espr

No. B. 167 Dated 6-11-1909 Received

Diary No. 1859	Enclos.	Spare Copies	Serial No. 26

BRIEF ABSTRACT OF LETTER.

Forwards copy of notice dy 28/10/09 sent by the Madras High Court Vakeel Mr. Ramachandra Iyer intimating his intention to file suit on behalf his client - Singamma in respect of Rs ~~1670~~ 12670 due to her on the mortgage of certain property of the late Bakshi Barappaya Rs which has been taken possession of by Government

27 NOTES AND ORDERS.

From the Deputy Commissioner, Mysore dr No. 327 / LA 376 dy 15/11/09 - Intimating as above & of his reply to the High Court Vakeel Mr P. the Cachar to address the Agent (Mr Sitaram Rao) in the first instance.

Notes—First sheet

GPB—30,000—3-4-07.

Serial No.

Paper under Disposal no 4.

In his letter No. B. 158 dt 22-10-07 & 4-11-07 Mr Sitarama Rao suggests the relinquishment of funds accruing from the rent of shops & Sandal wood receipts from the Mysore Chattram Jaradgalali Srama village of the late Bakshi Basappaji Ulu now under Govt management and certain amounts held in deposit in Govt Treasury -

In all about Rs 4312 is made up (at 10 as a rupee on the debt) by his means - It is reported that at the time when the claims of all the other debtors were settled, Smt Sangamma refused to accept Rs 4312-0-0 at the rate 10 annas in the rupee, in satisfaction of her dues.

Mr Sitarama Row proposes to utilise the income of the mortgaged properties for discharging Smt Sangamma's loan. Properly speaking the amount of the loan advanced by Govt should have been made to cover all these debts and the income from the mortgaged properties credited towards the Govt loan. Even the Rs 4312 which Mr S. Row was prepared to pay to Smt Sangamma has now dwindled down to Rs 896. Mr S. Row has by different means been able to make up only Rs 432

NOTE—Contn. sheet.

GPB—50,000—13-5-08

Serial No.

But this Singamma has already refused indemnity to make and all efforts to ~~make her allow~~ any concession have apparently failed. It is difficult to understand why she is so obdurate. The encumbrances prior to hers amount to nearly Rs.187500 and as that very nearly represents the value of the properties ~~or perhaps more~~ themselves in their present condition, ~~or perhaps more~~ she is hardly likely to gain anything by bringing them to sale in execution of her decree. The best thing seems to be to keep still and let her do as she likes. An experience of the first troubles connected with her purchase must ~~soon~~ soon lead her mind. The Govt Advocate may be consulted

Impd Bill No 7627 of 4-12-09 forwarded to the Govt Advocate with 4 for favour of opinion.

20/11.

for Govt Advocate

for Jail Secy
24-11-9

5 The files forwarded do not furnish any information as to the nature of the claim of Singamma. I was not able to find even a copy of the document on which she bases her claim. It will fecilitate ---- matters

Ct. O. 28. dated 7-12-09. 148/12

GPB—50,000—13-5-08

Serial No.

matters if a short resume of the facts of the case together with the documents bearing on them be forwarded. In the absence of information, at least, on the following points, I regret I am unable to advise Government as to the advisability or otherwise of allowing Singamma to seek her remedy in Civil Courts, as she intimated she would:-

1. What are the properties mortgaged to Singamma's husband, and whether all or which of them are included in the mortgage to Government?

2. If the mortgage to Singamma's husband be not the first one, how many prior mortgages exist on the property and what is the aggregate amount due on them? and whether all these prior mortgages have been assigned to Govt

3. What is the market value of each of the several pieces of property included in the mortgage to Government.

S. Narayana Rao
Govt Adv.

7.12.09.

No H 30 of 14-12-09
Encl two letters with Enclos
7.no. 801

15/12

b Forwarded to the Deputy Commissioner of Mysore for furnishing the information and references required by the Government Advocate. The favour of early Compliance is requested.

B. D.
M. Venkataramana
for Fine Secy
14.12.09

7 For reply Vide Ur Resolution page

Note—Contn. sheet.

GPB—55,000—27-4-09

Serial No. 1 & 423

The only documents received from Mr. D. Sita Ramaiah in this office are discharged bonds and vouchers connected with claims already settled by him. The present claim is one apparently left unsettled by him for some reason or other and the bond connected with the claim cannot therefore be found in this office. The communications received from time to time by the Agent in this office do not, moreover, furnish any information regarding the nature of claims already settled or yet to be settled. A reference may therefore be made to Mr. D. Sita Rama Rao in view to the production of necessary document and information required by the Govt of India.

Subject to the approval of the Collector I have no objection to the proposed reference being made

17 December 1909

Subject This is given under Art 292 of O.M. as saving delay

Collector 1-1

GPB—50,000—13-5-08

Serial No.

9 The particular properties mortgaged to Sivagamma's husband are not ascertainable but as all the properties of the late Mr Rivaz are said to have been mortgaged to Govt, those pledged for the loan advanced by Sivagamma's husband must be included in the properties which the Govt are said to hold as mortgagees. This answers point no 1.

10 The mortgage to Sivagamma's husband is not the first one and the actual no of prior mortgages is not known. But the total amount payable to the prior mortgagees is known & as stated in note of 20-11-09 supra, viz Rs 187500. This statement is based on the information furnished by the Agents appointed for the Settlement of the late Rakshis affairs

11 The Govt Advocate requires for reference a copy of the bond relating to this debt & this can be got only by calling the creditor herself or from the record relating to the Settlement, Sh?- a copy of the bond be found in them. It was believed that this creditor

NOTE—Contn. sheet.

GPB—50.000—18-5-08

Serial No.

might have sub.d to Mr Seetharama Ram a copy of the bond when he makes all the erasures to prefer the claims and as the Dy Cr was also believed to be in possession of all the records (Mr. S. Ram said that he had transferred all the records to the Dy Cr), an R.O. ref was made to him. Mr. Seetha. rama ram himself is on leave & is also away at Bapatla. There is therefore no hope of getting accurate information on the points noted by the Govt Advocate from Mr Seethanama Ram until his leave expires. court dis. the matter, however, has to be treated as urgent & any action is called for on the part of govt in regard to the lawyer's notice which the creditor has served on the Govt Agent. For advising govt on the point, the Govt Advocate requires the information & reference mentioned in his note of 7/12-09 & from the relevant papers

NOTE—Contn. sheet.

Serial No.

available here no more information than is noted at the beginning of this note can be given. It is not clear if on the information available no opinion can be given. If it cannot be given & if the matter is considered to require prompt disposal, Mr. Seethon remarks will have to be written to for stating where papers likely to furnish the informati regd. by the Govt Advocate can be had &, if they formed part of the Settlement records, where he has kept such records. The Dy C. states that the papers now regd. are not among those transferred to him.

12 As the Junl Secy is absent on leave, this Case is submd. to Genl Secy

29-12-9

13 Draft DO. to Mr. Sloan

29-12-9

14 Draft D.O. Subd Hore 31.12.09

15 Done 31-12-9

NOTE—Contn. sheet.

GPB—50,000—18-5-08

Serial No.

31 DO No. H 3092 dy 3-1-1910.
To. D. Sitaram Rao Esqre
Calling for the information

32 DO. dy. 7-1-1910.
From. D. Sitaram Rao Esqre
States that the papers relating to the subject matter of Sugamma's claim are with M. Ramaswamaiya, Accountant Mysore Imp. Improvement Trust Board Chairman's office, and that the Dy. Comr. Mysore may be asked to kindly get the papers and forward them.

16 " Enlgd
Mr. Sitaram Rao also states that "Sugamma failed to produce the bond even though called upon often"
Subd for orders.
N 18/1/10.
mr 19/1/10.

17 Please write to the Dy Commr. Mysore as suggested by Mr Seetharama Rao.
mr 19-1-10

16
Draft Subd for approval
N 20/1/10.
mr 20/1/10.

19 Done mr 19-1-10

38 To the Deputy Comr, Mysore
No. H. 3698/ dated 2.2.1910.

NOTE—Contn. sheet.

GPB—50,000—13-5-08

G. R. S. 12]
General and Revenue Secretariat.

(10

Ql. 2. File No. 127 of 1908

Serial No.

Calls for information as suggested by Govt Advocate Re.

39 From the Govt Advocate, Enquire Re No. 738 dated 9.4.10. submits the necessary information

Submitted.
K.S.
27.4.10

20 All the information required by the Govt advocate is contained in the Deputy Commissioner's letter. The Govt advocate also wanted a Copy of the bond, but there is no Copy available with either the Deputy Comr or the Secretariat. The Mr has already stated that Sriganna failed to produce the bond although called upon by him to do so. may this now be sent to the Govt advocate with a resume of the Case?

28/4/10

21

28.4.10.

(48)

Q. 7.0.

NOTE—Contn. sheet.

GPB—50.000—13-5-08

Serial No.

The following is a short resume of the case:—

In August 1907, Pat Sanctioned a loan of Rs 1,25,000 for the settlement of the debts of the late Mr Basahhay ans, on the security of a property valued at Rs: 149.000 with this amount & with a further grant of Rs: 51,000 from the Palace fund, Mr S. Sitaramma Rao was able to pay off the debts of the Bakshi at 10 annas in the rupee, interest being left out. Sitamma has from the first declined to have her claims Satisfied. It is even now open to her to take at this rate a sum of Rs: 4312 in full settlement of her claim to Rs: 6900 due on a bond & the 12-7-00 with interest at 9% (viz: Rs: 5770)

The properties set forth in para (1) of

Serial No.

the office note enclosed with the Inspr Bawa's letter of the 9.4.10 had been mortgaged to Singamma's husband. These are all included in the mortgage to Govt. Ten of them estimated at Rs: 132,550 had been subject to a previous mortgage of 8 other creditors to the extent of Rs: 179,999. of the two other properties mortgaged to her husband, one valued at Rs: 7000 had been previously mortgaged to a Palace loan, which at the time of settling Balakrishna affairs stood at Rs: 3728. The other property valued at Rs. 2500 does not seem to have any previous mortgage. All the rights of the creditors who had precedence over Singamma have been assigned to Govt: & bought in by Govt: for Rs: 93,125.

K.S. 21
27.5.10

Nil may now be sent to the Govt advocate.

5/10/10

22
forwarded to Govt advocate No for favour of opinion
6.10.10

for Secy

Mr Cornish the mortgage deed on 8.12.

Govt Advocate 8/12

Govt Advocate 8/12

This is one of those files which has been kept among Singamma's papers by mistake

39(a) from the D.C. Mysore No: 180 Dy 26/9/10
Forwards letter of Singamma regarding early adjustment of her debts

No 3623
dt 6-10-10
with 3 files

NOTE—Contn. sheet.

GPB—50.000—13-5-08

U.C. 22 dated 24-10-10.

II 28/10

Serial No.

23 The mortgage in favour of Singamma's husband was subject to the right of prior mortgagees to be first paid their debts out of the mortgaged property. As the amount due to the prior mortgagees is said to exceed the market value of the property mortgaged, Singamma's mortgage is valueless, but she may have the luxury of paying up the prior debts and taking up the property. The prior mortgage debts have all been assigned to Government, who are therefore entitled to receive the same. They are entitled to recover not merely the amount for which they purchased these prior debts (as is the law under the Transfer of Property Act in force in British India) but the whole amount of principal and interest due under the several mortgages (as was the law before the said Act was passed and as is the law now in Mysore according to a decision of the Mysore Chief Court).

24 In these circumstances, Singamma may, in reply to her lawyer's notice, be informed that Government as assignees of the several prior mortgages on the property mortgaged to her late husband are entitled to get Rs. 177.177 X X X from the said property, that the market value of the property is less than the amount due to them and that with a view to put an end to ---- litigation and consequent costs and complications a sum of Rs. 4312 X X X was offered to her by Mr. Seetha-

- Ramaiah

Note—Contn. sheet.

GPB—50,000—13-5-08

Serial No.

Mr. Seetharama Rao the Agent of Government, in full satisfaction of her mortgage, which amount will be paid to her should she even now agree to accept the same on the said terms. If she should persist in - refusing the proposal, she may be informed that she is at liberty to carry out her expressed intention of having recourse to law Courts.

25 Should this course be deemed inconvenient or inadvisable on considerations of the high connection of the family of the late Military Bakshee &c ----, Singamma's mortgage will have to be brought up on her own terms.

S. Narayanan Rao
24.10.1916 Govt Advr:

Subd
N 26/10 26 Please prompte a draft according to the terms Contained in the penultimate para of the Govt advocate's note.

4/11/10

27 Draft Subd to Dewan
4/11/10.
4/11/10

4/11/10

Dewan 28
Draft appd by Diwan
4/11

29 Issued 10.11.10

8548
8.11.10

NOTE—Contn. sheet.

GTL—50,000—13-5-08

Serial No.

40 To the D C Mysore Dt
No. H 2594 of 19 11 10
States that Singanna may be informed that Govt as assignees of several prior mortgages are entitled to get Rs 1,79,999 from the said property, that the market value of the property is less than the amt due and that if she still persist in refusing the proposal of Mr D. Lakamana Rao, she may have recourse to law.

From the Deputy Commissioner
Mysore Dt - No. 301-of 24/11/1910

Forwards a draft of an endorsement which he proposes to issue to Singanna through Advocate Mr. M-D. Narasingaya & forwards ~~his application~~ for enquiry the petition of Singanna since received by him.

30 The Deputy Commissioner expects a reply communicating the approval of Govt to the proposed Endorsement when he would

GPB—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

File No. 127 of 1908

Serial No.

issue it.

31 In this office letter No. 2594 dy. 29-11-10. The Dy Com^r has been distinctly told that "if the Shroff however persist in refusing the proposal (to receive Rs 4312/- in full satisfaction of her claim) she may be informed" that she is at liberty to have recourse to law.

32 Submd for orders with a draft-

9.12.36
29/11/10

Submit. to Mr. T.K. on his return Bgm. 29/12.

33 29/11/10 There is nothing new in the present application of this Sirkar and it has already been decided that if the Shroff refuses to receive the sum of Rs 4312 (which is still offered to her) she can have recourse to law and other remedy there. The proposed endorsement proposed by Mr. Nair is correct. The draft may be approved & issued.

9-12-10

34 The endorsement is not sufficiently explanatory & may delude the other party to the belief that first do not realize the strength

NOTE—Contn. sheet.

GPB—35,904—27-4-09

Serial No.

gotten position. I would ask the Dy Commr to give Sugganmmi's lawyer a copy of our letter of 19.11.10 which is based on the Govt advocate's opinion. If the lady understands the situation clearly she will not be tempted to lawsuits easily. M 8/12

[She says she has consulted Madras lawyers but, as the Govt advocate explains, Mysore law on the point is different from British Indian law. M 9/12]

Reconsidered as above
K 8.12.10

35
Draft submd for approval.
SG Sn 9/12/10
MD-S 12/12/10 Dewan)

K 13.12.10.

9243
13.12.10
2 files

36 Draft approved by Dewan.
CSP 101 14/12/10

Issue K 15.12.10

42 To the Deputy Commissioner, Mysore Dist
No: H 3269 Dy 19.12.10
States that a Copy of this Office letter No: H 2594 Dy 19:11:10 which is based on the

NOTE—Contn. sheet.

GPB—55,000—27-1-09

G. R. S. 12]
General and Revenue Secretariat.

f. 7 File No. 127 of 1908-09

Serial No.	
	Govt Advocate's opinion on the Case may be furnished to Singamma's Advocate for the lady information.

Note—Contn. sheet.

GPB—55,000—27-4-09

1859

Vol 1

Bdl II Group No. B. 167.
Cudd: one.

Office of the Agent of Government
to settle the affairs of the late
Mr. Baccaffaje Mrs,
Dated Bangalore, 6th November 1809.

57127 of
dl 26

From

D. Sitaramaiah, Esquire,
Agent of Government
to settle the affairs of the late
Mr. Baccaffaje Mrs.

To,

K. S. Chandrashekhara Iyer, Esquire
B.A., B.L.,
Secretary to the Government
of His Highness the Maharaja
of Mysore,
General and Revenue Department,
Bangalore.

Sir,

I have the honor to submit
herewith for order of Government as
Original
Copy of the Notice dated the 28th ult.
October 1809, sent to by Mr. P. Shivamallaiah,
Vakil of the High Court of Madras,
to the deputy Commissioner of the
Mysore District, on behalf of
his client Singammah, widow of the
late Sowcar Ishwaraiah and a

Creditor

creditor of the late Mr. Basappaje Urs and his son as a mortgagee of their landed properties and to state that as explained in my Report No. B:110, dated the 18th December 1908 — the said Srigammah was persistently rejecting the offer of Rupee 1, 312/- or annas ten (0-10-0) in the Rupee of principal, repeatedly made to her, through often creditors of the same order accepted the said rate and got their claims settled. Consequently the said Srigammah's claim was left unsettled under instructions conveyed in your letter No. R: 3646 Cy. L Fn: 192-08-4 dated the 15th February 1909, before the Conveyance deed was obtained in favour of Government from Mr. A. Chamappaje Urs. C

2. Though there is only a small balance of Rupee 876/- left out of the total sanctioned loan of Rupees 1,76,000/- and that this sum

is required to meet the purposes explained in para 5 of my letter No. 158 of the 22nd October 1862, I have pointed out the source from which the claim of this individual may be met in para 6 of the same letter, a Hund reference to which is solicited

I have the honor to be,

Sir,

Your most obedient Servant,

V Ramachandra

Agent of Government to

Settle the affairs of the late Mr Basappajee

WK

P THIRUMALA CHARRIAR,
Advocate, High Court.

No 19 Vakils Chambers,
Madras, 28th October 1 9 0 9.

TO

The Deputy Commissioner,

MYSORE.

Sir,

It is represented to me by my client Singammal widow of the late Sowcar Kesava Char of Mysore now residing at No 81 Tholasingaperumaul Coil Street, Triplicane, Madras that the late Military Bakshi Basappaji Urs and his son Chappaji Urs have jointly executed in her favor a registered mortgage bond bearing date 12th July 1900 for Rs 6900/- carrying interest at the rate of 9 per cent per annum whereby they mortgaged to her certain items of immoveable property (consisting of houses & grounds, stable, gardens, topes, lands and villages) situate in Mysore Province, and that there is now due to her in respect of the said mortgage the sum of Rs 6900/- for principal Rs 5770/- for interest upto date amounting in all to Rs 12670/- and that the Government of His Highness the Maharajah of Mysore has taken possession of the mortgaged properties among others and has become interested in the equity of redemption of the said mortgaged properties under deed of conveyance bearing date the 3rd day of March 1909 executed by the said

Chamappaji Urs after his father's death on his own account and as Manager of the family in favor of the Government of His Highness the Maharajah of Mysore.

Please take notice that my said client Singammaul intends filing a suit against the said Chamappaji Urs and the Government of His Highness the Maharajah of Mysore, among others for the recovery of the said sum of Rs 12670/- with future interest, as her claim under the mortgage has not been satisfied in spite of repeated requests.

I trust her claim will be satisfied before she seeks her redress through Court of Law.

Yours faithfully,
(Sd) P. Thirumala Charriar

(True Copy)

TO

D. Sitarama Rao Esq.,
Government Agent,
for the Estate of the late Mr. Basappaji Urs,
Bangalore City.

P Thirumalacha

Vakil HighCourt.

1909-10.

From 8765
The Dy Commissioner
Mysore District

To 97 127-08
The Secretary to the Govt
of Mysore, Financial Dept.

Dated 15
Despatched 16 } November 1909
Received

General No. 327.
Lta No. 376.
Enclosure No.

Stating for information that a notice from Mr. P. Tirumalachar Bar-at-Law Vakeel Madras has been received by the Dy Commissioner to the effect that he will sue the Govt of Mysore for the money due to his client Singanmal by Mr. late Batchi Basavappa Wo

No. 327
Enc. No. 1 & 376

OFFICE OF THE Dy Commissioner
MYSORE DISTRICT,
Dated Mysore Camp 15th November 1907

To
J. S. Chalkravarti Esq., M A. etc
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
Financial
GENERAL AND REVENUE DEPARTMENTS.

Sir,

I have the honor to report for the information of Government that a notice was received in this Office from one Mr. P. Trimala -chur, High Court Vakil, Madras intimating his intention, on behalf of his client Smt Annammal widow of the late Sahukar Kesavachar to sue Govern -ment for the debts due Rs 12670 + inclusive of interest to her from Mr. Bakshi Basappaje Urs and that the

the same has been sent to
Messrs. D Sethuramadoss with
the request of being informed
as to why this claim was not
settled along with others and
whether any amount is avail
-able out of the loan sanctioned
to the Batticotta by Government
and how the purchasers to deal
with the claim.

I have also intimated to
the Advocate that he should
apply to the Agent in the
first instance for the settle-
ment of his clients' claims

I have the honor to be,
Sir,
Your most obedient Servt.

O. C. Gs

Dr Ramanathapillai
Mupane Dubash

G.R.S. 26]

File No.

✓ Serial No. 31

Diary No. of letter replied to 1965

No 763092

General and Revenue Secretariat

( )

, the 190

3-10-10

To Dear Sir

In Connection with the claim of Singamma, a creditor of the late Mr. Basappaji Urs, I am desired to request you to forward a short resume of the facts of the case together with the documents bearing on them.

Date of issue 3rd ~~Oct~~ January 10

Signed by [illegible]

Yours Truly

for Asst. Secy

Basappaji Seetha Rama Rao Esq

Bapatla

Guntur Dist

(GA's note)

I ha Lawyers advice Sent by you to get the Govt Advocate who Consulted the requires certain information (Vide enclosure) regarding the claim before ~~he expresses~~ his opinion on the various points raised in the letter under reference. Will you please furnish the information required by him at your earliest convenience.

Dy Collector & Superintendent

Guntur

31.12.09

SUBJECT: The papers relating to the claim which Govt give the particulars asked for by the Govt Advocate are among the records relating to the Settlement transferred over. made over by you to that officer. Please also state where the papers in

Sir one, Sd.

that they may be

Names & Secy to

the Govt Advocate

for ref

1/4/11 127-08-32

2575

Bapatla.
7.1.1910.

To

The Secretary
General & Revenue Br
Bangalore

Dear Sir,

With reference to the Communication No H 3092 dated 8E Fr 12.7.08 the 3rd January 1910, regarding the claim of Singamma, a creditor of the late Bakshi Basappaji Mr, I am to inform you that the papers relating to the subject matter are with M. Ramaswamaiya, accountant

G.R.S. 26]

File No. 127-
Serial No. 38

24/1/10 2575

Diary No. of letter replied to 2575

No. DC 3698

General and Revenue Secretariat
( )
, *the* 190

d. 2-2-1910

To

The Deputy Commissioner
Nilgiris Dt.

Date of issue 2-2-1910

Signed by W McKnight

Sir

In reference to your letter No. 327 & 15/11/1909 DA 376 of Suit regarding legal notice from Mr Thirumalachari. Vakil of the High Court of Madras, on behalf of Singamma, one of the creditors of the late Mr Bakshi Basavappa Ur. I am directed inform you that the papers relating to the ~~to Badaga~~ report of the Accountant to be appointed by Mr Sitaram to be with as soon as possible.

Accountant Ramaswamy ~~of~~ appointed by the Office of the Chairman

over.

SUBJECT.

Noted 2/2/11

of the Mysore Improvement

Loan Trust Board, the papers

connected with the claim

(by Debentures &c)

which are said to be within the

possession of Government

The papers (bonds etc) and

and to request you to kindly obtain them and supply

any information on the following

points are very urgently

required by the Govt Advocate

to enable him to advise Govt

as to the advisability or otherwise

of allowing Singamma to seek

her remedy in civil courts. They

may be therefore furnished to this

office at an early date :-

(1) What are the properties mortgaged to Singamma's husband and whether all or which of them are included in the mortgage to Govt.?

List of enclosures

(2) Of the mortgage to Singamma's husband which is the first one, how many prior mortgages exist on the property and what is the aggregate amount due on them? And whether all these prior mortgages have been assigned to Govt.?

(3) What is the market value of each of the several pieces of property included in the mortgage to Govt

Copied by

Examined by

Thanks

Yours

20/11/40

for Secretary

20/11/40

GPB—10,000—20-4-05.

Office Copy

G.R.S. 31] No. 3698/

From

J.S.Chakravarti Esquire,M.A.,F.R.A.S.,&c.,
Financial Secretary to the Government of His Highness
the Maharaja of Mysore.

To

The Deputy Commissioner,Mysore District.

Dated Bangalore, the 2/2/ 1910.

Sir,

In reference to your letter No.327/L&A.376 dated 15th November 1909,regarding notice of suit from Mr.Thirumachar,Vakil of the High Court of Madras,on behalf of Singamma,one of the creditors of the late Mr.Bakshi Basappaji Urs, I am directed to inform you that the papers relating to the subject are reported by Mr.Sitaram Rao,to be with one Ramaswamayya,Accountant of the office of the Chairman of the Mysore Improvement Trust Board,and to request you to kindly obtain them and supply very early information on the following points:-

1.What are the properties mortgaged to Singamma's husband & whether all or which of them are included in the mortgage to Government?

2.If the mortgage to Singamma's husband be not the first one,how many prior mortgages exist on the property and what is the aggregate amount due on them?and whether all the prior mortgages have been assigned to Government?

3.What is the market value of each of the several pieces of property included in the mortgage to Govt? I have the honor to be,

Sir,
Your most obedient servant,

GPB—1,000—29-3-09

For Fin'l.Secretary to Gover

D. 4085
S. J

P 18E

Sl #
127-06
Sl 39

Received 10-4-10 190

From
M. Kaudaraj Avo Esq BA
Deputy Commissioner
Mysore District

To F. L. Chakravarti Esq M.A. I.C.S.
Financial Secy to the Govt of Mysore

Dated - 9th April 1910

Despatched

Received

General No. 738
No.

Enclosure No. 1

Submitting information re the Claim of Lingamma against the Respondent of the late Mr Bakshi Basappaji Avo.

No. 738
Enc. No. 1

OFFICE OF THE Deputy Commissioner

MYSORE DISTRICT,

Dated Mysore Camp 9th April 1910.

To

J. S. Chakravarti Esq., M.A., F.R.A.S.

SECRETARY TO THE GOVERNMENT

OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

Financial ~~GENERAL AND REVENUE~~ DEPARTMENTS.

Sir,

With reference to your letter no. FC 369 8
GL Fin. 147-09
dated 22 February 1910 re the notice of suit intended to be filed against Government by Sipamma on account of certain debts due to her by the late Dr Bakshi Basappaji Urs, I have the honor to forward herewith a copy of an office note obtained from Accountant Ramaswamaiya of the Mysore City Improvements office regarding the several points on which a report was called for and to state that the rights of the creditors who had precedence over Sipamma amounting to Rs 179,999 have been assigned away to or bought up by Government, for Rs 93125 against the properties in question.

I have the honor to be
Sir
Your most obedient Servant

H. Jeevanatham
for Deputy Commissioner
Mysore Dt

Office-Note

1. The properties mortgaged to Singa mma's husband under Deed Dated 12.7.1901 are known to be the following :-

(1) Storeyed house with Shabbo ah Fort Nos. 557-558.

(2) Storeyed house at Sivakampet called "The Chatteram" No. 187

(3) Mavin Thota in Mysore Taluk.

(4) Bahadur Khane Avvs' house No. 558

(5) House in Mothikhana Street no. 373

(6) House in Krishnaraj Mohalla no. 1093.

(7) Bagavalu - Kadayanpura Village Lands, Nanjangud Taluk.

(8) Arkalgud Inam Villages.

(9) Hundi Thota, Mysore Taluk.

(10) Horeyala Village Lands, Gundal-pet Taluk

(11) Kadavanahalli lands in Gundalpet Taluk

(12) Lands in Hadjana, Mysore Taluk

N. B. This information was collected from a statement found in the bundle of papers that had once been given by Mr. M. D. Narayana Iyangar, advocate.

2.

2. All the above properties are included in the Conveyance Deed executed by Mr. Chamappaji Urs, Son of late Mr. Basappaji Urs, in favor of Government.

3. With the exception of items 10 and 12 mentioned in para 1, all the properties mortgaged to Sriganma were subject to the previous mortgage of 8 other creditors of the late Mr. Basappaji Urs and his son. particulars as to the properties that had been mortgaged and the aggregate amount due to each creditor are given below:-

Items Nos. of para 1	Name of previous creditor	Date of mortgage Deed in favor of previous creditor	Amount due to each creditor. principal	Interest	Total	Remarks
~~4 to 11~~	(1)					
4 and 6.	National Bank, Mysore	31.12.1898			14,587	amt. under Award Decree
1, 2 & 3 and also another property known as "Gele"						
Thota not mortgaged to Sriganma	(2) City Bank Mysore	30.5.1900			32,047	Do. Do.
Do. Do.	(3) Appaji Setty.	30.5.1900	18,000	10,210	28,210	
1, 2, 3, 4, 5, 6, 7 & 11 and Gele Thota not mortgaged to Sriganma.	(4) E. P. Gosai.	18.6.1900	14,000	14,315	28,315	-
Same as above 2 and 8	(5) Mr Venkata Rao	18.6.1900	8,000	8,840	16,840	
	(6) Idris bin Vani Bax E. P. Gosai.	19.6.1900	20,000	15,830	35,830	-
Same as No. 5 (Mr. Venkata Rao's and another property by name Sopin Thota not mortgaged to Sriganma.	(7) Naib Narain Rao	19.6.1900	5,000	3,038	8,038	--
	(8) J. K. Narasinha	20.6.1900	8,800	7,332	16,132	--

4 All these prior mortgages mentioned in para 3 whose amount aggregated Rs. 1,79,999 at the date of settlement, and which owing to the accrual

of interest, for the subsequent period amounts to ~~for a~~ a much larger sum have been duly assessed to Government.

5 In the case of the Horeyala Kanyamgutta (Hemlotipura) Village in the Gundalpet Taluk, it is seen that though it had not any previous encumbrances of private parties, yet the Kanayangutta had been mortgaged to the palace Dept. on 8.12.1904. At the time of the settlement of the late Bakshi's liabilities, there was found to be a balance of Rs. 3728/- out of the palace Loan unadjusted.

6. The following table shows the market Value set for the several properties of the late Bakshi, mortgaged to Govt. as recorded in the statement originally supplied by Government.

Sl. No.		Market Value in Rupees.
	Those mortgaged to Snigamma.	
1	Storeyed house at Fort nos. 557-558	20,000
2	Storeyed house at Siva Rampet called "The Bhatram" No. 187.	30,000
3	Mavin Thota, Mysore Taluk	5,000
4	Bahadur Khane bro' house no. 556	10,000
5	House in Mothikhana Street no. 373	5,000
6	House in Krishnaraj mohalla, no. 1093	5,000
7	Bogavalu - Kadeyanpura Village, Nanjangud Taluk	500
8	Ankalgud Inam Villages.	30,000
9	Hundi Thota, Mysore Taluk	10,000
10	Horeyala Village lands, Gundalpet Taluk	7,000
11	Kadavanahalli lands, Gundalpet Taluk	17,050
12	Lands in Kadjana, Mysore Taluk	2,500
	Those not mortgaged to Snigamma.	
1	Gele Thota, Mysore Taluk	2,500
2	Kundavadi Village land, Gundalpet Taluk	950
3	Soppin Thota, Mysore Taluk	200
4	Bellavatta (Mysore Cantonment) land	1,000
5	other lands in Gundalpet Taluk namely, Thotekere, Banasavadi	

X It is doubtful whether this is mortgaged. No copy of the mortgage deed in favour of Snigamma is available in Secretariat.

Borzi Kamarahalli, Hosteyala Ran- chahalli	146703 2872.
Total	149575

9 th March 1910.
10

Kamalesan

11 Vol. 0738

Cr 20 Vol 87

The Dy Commissioner
Cuppa Dt

Gl 36(a)

To

The Financial Secretary
to the Govt of Mysore

No. 180 En. 1.

Dated. 26th / 27th September 1911

Forwarding petition of
Rujamma re her dues
from the late Dr Bakshi
Barakhaji Urs.

No. 180
En. 1.

Office of the Deputy Commissioner
Mysore District.

Dated Mysore, 26th September 1910.

From

M.Kantaraj Urs Esquire B.A.

Deputy Commissioner, Mysore District.

To

J.S.Chakravarti Esquire M.A.,F.R.A.S., F.S.A.

Financial Secretary to the Government of Mysore.

Sir,

In continuation of my letter no. 738 dated 9th April 1910 in re certain debts due to Singamma widow of the late Sahukar Kesavachar from the late Mr. Bakshi Basappaji Urs, I have the honor to state that she has again petitioned to this office for the early settlement of her dues.

The petition received from her is herewith forwarded.

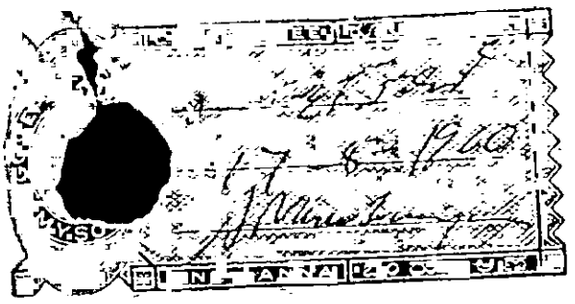
I have the honor to be,

Sir,

Your most obedient servant

For Deputy Commissioner
Mysore District.

M.S.K.



To

M Kanthar aj Urs Esq. B A
Deputy Commissioner
Mysore.

22-8-10
2 Encl:
Copy of
Ltr

Respected Sir,

With reference to your letter.
No. 2027 Dated 15-11-09. to Mr. P. Tirumala
Chari. High Court. Madras. replying that an
application in the first instance should be
made to Mr. D. Sethurama Row. Agent.
specially appointed by Government to settle
the affairs of late Mr. Bakshi Basappaji Urs
for the settlement of my claims under the
mortgage bond, I beg to state that a
similiar notice given to Mr. D. Sitarama Rao
on 28-10-09, has not been replied as yet.

1015
23/8/10

I borrowed money here and there
and lent to late Mr. Bakshi Basappaji Urs
when he was hard pressed for money.
Now my creditors are pressing me for clearing
their dues. I have no other source. I have
already sustained heavy loss by this trans-
action. My pitiable circumstances are
beyond description

I therefore most humbly pray

pray that you will be graciously pleased to consider my pitiable case and settle as early as possible my claims under the Mortgage bond. (Principal Rs 6400 and Interest Rs 6235)

I beg to remain,
Respected Sir,
Your most obedient servant
ದೇವಪಾರ್ಥಿವ ಅಗ್ರಹಾರ
Devaparthiva Agrahar
Chamarajapeta

Dt. 17-8-1910.
Mysore

Clear Dro

(G.R.S. 26)

File No.

Serial No. 4

4085
14/11/10
Diary No. of letter replied to 1387

No. Je 2594
19-11-10

General and Revenue Secretariat
( )
, *the* 19 .

To
The Deputy Commissioner
Mysore Dt.

Date of issue 19-11-10

Signed by W L Narasimhaiah

Adverting to Correspondence ending with your letter No. 180 of the 26th September 1910 in the petition of Sinjamma one of the creditors of the late Mr. Bakshi Basappaji Urs., I am directed to state that she may be informed that the sort of lit the Maharaja as assignees of the several prior Mortgages on the property mortgaged to her late husband are entitled to get rupees 179,999 from the said property and that the market-

. over.

SUBJECT.

value of it is less than the amount due to them. With a view however to put an end to litigation and consequent costs and complications a sum of Rs 43 12/- in full satisfaction of her mortgage was offered to her by Mr Sitaram Rao, the agent of Jost and that should she even now agree to accept the same on the terms offered by Mr Sitaram Rao, the Jorh are prepared to pay it. If she should, however, persist in refusing the proposal she may be informed that she is at liberty to carry out her expressed intention of having recourse to law

I have etc

H Secretary

List of enclosures,

Copied by

Examined by

GPB—20,000—12-8-10

127-08-41

T 25/11 Rec-1/8

190 Rec 82151

From

M. Kantaraj Urs Esq., Ba

Deputy Commissioner,
Mysore District.

To

J S Chakravarti Esq., Mea

Secy. to Govt. of Mysore,
Fuil ~~Gen. & Rev.~~ Dept

Dated 24th Nover 1910

Despatched

Received

General No. 301
No.

Enclosure No. 2

Forwarding draft Copy of an Endorsement intended to be granted to Sujamma, widow of Sahukar Kesavachar Creditor of the late Dar Bakshi Basappaji Urs for approval

GBPM—21-9-1910—1,000.

No. 301
Enc. No. 2

OFFICE OF THE Deputy Commissioner
MYSORE DISTRICT,

Dated Mysore Camp 24th November 1910

FROM

M. Kaverappa Urs Esq., B.A
DEPUTY COMMISSIONER, MYSORE DISTRICT.

To

J. S. Chakravarti Esq., M.A., F.R.A.S., F.S.A.
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE.
Financial ~~(REVENUE AND REVENUE)~~ DEPARTMENT.

SIR,

Adverting to your letter no. FL.2594/GL.FL.127-08 dated 19th instant, I have the honor to forward herewith a copy of an endorsement which I intend granting to Suiganna through her Advocate Sri M. D. Narasimhaiyar. Suiganna has since presented a petition to this office and the same is submitted herewith for the information of Government, and their early orders if any.

Pending reply to this, I am withholding the issue of the endorsement.

I have the honor to be
Sir
Your most obedient Servant

S. Rao
for Deputy Commissioner
Mysore District

Office of the Deputy Commissioner

Mysore District.

Dated Mysore 22nd November 1910.

With reference to the application of Singamma dated .....presented to the undersigned requesting to settle her claims against some of the late Mr. Bakshi ----- Basappajee Urs Mr. M.D. Narain Iyengar Advocate on behalf of his client Singamma is informed that the Government have passed final orders to the effect that if his client is not willing to ~~remain~~ receive the sum of Rs. 4312/- offered by Mr. D. Sitaram Rao, in full satisfaction of all her claims, she is at liberty to carry out her expressed intention of having recourse to law. If she is willing to accept the above term, the fact may be intimated to this office at once.

S.N.

DEPUTY COMMISSIONER
Mysore District.

M.Kantharaj Ars,Esq., B.A.,

Deputy Commissioner,

M y s o r e

The humble petition of Singamma,widow of SaVkar Kesavachar residing in Mysore.

Respected sir,

I. In continuation of my petition addressed to your Honour on the 3rd. inst.,about the payment to me of the compensation amount of the late Mr. Bakshy Basappaji Ars's house,Ibeg to bring the following further facts to your Honour's kind consideration.

2. Your Honour is aware that the late Bakshy and his son Mr. Chamappaji Ars had contracted debts by way of mortgages and otherwise and that the Government was pleased to undertake to discharge their debts.

3. Your Honour is also aware that the Government for this purpose lent them a sum of Rs I25,000,and supplemented the same with an additional sum of Rs 56,000,and appointed Mr.D.Sitaramarao to discharge these debts and left the money so lent at his disposal constitutung him agent to Government.

4. Your Honour is further aware that Mr.Sitaramaraotook for the money lent ,a usufructuary mortgage on 3-3-I909 from the Bakshy's son of all his immoveable properties,in his name.

5. Now your Honour will observe from the schedule of creditors attached to the said bond(a copy of which I herewith produce) that the Bakshy's creditors were of three classes,viz.'mortgage crediters,Judgment-creditors,and creditors who held simple bonds,shop-bills,etc.From the said schedule it will be seen that a mortgage debt of RsI0,434(Principal Rs6,900, plus interest up to that date Rs3,534) and a judgment-debt of RsI5,038,were due to me.Ihad also attached the immoveable proprties for my judgment-debt.

6. My mortgage bond was executed on I2-7-I900 by both the Ba-

Bakshy and his son.The debt was repayable in three months.Interest charged was only 9% per annum.In it the house in question and other properties are mortgaged

7. My bond was a registered one.The cause of action on the bond arose on I2-I0-I900.The period of limitation for my personal remedy against the executants was only 6 years,though against the hypothec it was twelve years.

8. Just then correspondence was going on between the Government,Mr.Sitaramarao and the Bakshy about the settlement of his debts.My personal remedy against the executants was getting barred.Igave them notices that I would sue if the money was not paid.

9. Meanwhile Mr.Sitaramarao prevented me from suing.At the same time,to prevent my personal remedy against them from being barred,he wrote an acknowledgment of liability to my lawyer on on I2-I0-I900,and at their request he also paid Rs50,and made an endorsement on the bond.

I0. I hear now that Mr.Sitaramarao has discharged all the debts mentioned in the said usufructuary mortgage ~~schedule~~ bond schedule.The only debt yet undischarged is my mortgage debt.Together with interest it now comes up to RsI3,283,(principal Rs6900 plus interest Rs 6383)

II. Mr.Sitaramarao offered me Rs43I2,towards this debt,but I declined to accept it,and even now I do respectfully decline.I claim full payment.

I2. It is true all the other creditors did forego a portion of of their claims.But your Honour will see from the list of creditors appended to the said mortgage schedules executed to Government by the Bakshy's son that the amount due to me was Rs I5,038,towards the judgment-debt.I have accepted only Rs 7,775, letting go Rs 7,263.I cannot forego any more.

I3. I lent money to the Bakshy at the low rate of 9% by pledging my own jewels,and they are still unredeemed for want of money.Though I had foregone Rs 7,263,your Honour will see how unreasonable it was on the part of Mr.Sitaramarao to with-hold

payment of my mortgage debt.

I4. In this connection I beg to state that he paid a lot of unsecured creditors whose claims were admittedly barred and for paying which there was no legal justification.

I5. I am not unmindful of the plan adopted by Mr.Sitaramarao while discharging each mortgage debt of taking the same in assignment with the right to recover the full amount covered by each mortgage.This he was advised to do,perhaps with the idea that if any mortgagee did not come to his terms he might use the assignment against him if such objector happened to be a subsequent encumbrancer. He used this threat against me when I declined to accept his offer.

I6. I have consulted several lawyers in Madras on this legal point. In their opinion the question is one which cannot be answered without subjecting Mr.Sitaramarao to a severe examination and cross-examination and without looking into several papers of correspondence between him and the Government and also his several reports and accounts.

I7. Even granting that the question of law is in favour of Government,I respectfully ask your Honour whether it is right on the part of the Govt., after having morally and legally undertaken to discharge all the Bakshy's debts and after taking all his properties as security for the loan,to use this threat and try to measure its strength against a woman?

I8. I have waited sufficiently long for this debt. I want to settle this matter and go on a pilgrimage. I would therefore respectfully request your Honour to pay me this compensation amount and recommend to the Govt. to pay me the balance,or to to send the compensation money to the Civil Court for adjudication.

I9. In the event of this most humble and lawful request not not being granted,my only remedy lies in resorting to the Civil Court for redress,incurring heavy expenses. I may point out here

that though the Bakshy is dead and though I may be deprived of my rights as a mortgagee by the reason of the assignments of the other mortgages,still there is my personal remedy against the Bakshy's son,and the equity of redemption in the mortgaged properties to sell.

For any act of kindness on your Honour's part I shall in duty bound ever pray.

I am,

10-11-10

Respected sir,

Your most obedient servant,

ಎ.ನರಸಿಂಹರಾವ್

In Mysore Commy —

Advocate & Counsel

for Pltf

12

G.R.S. 26]

File No. 125

Serial No. 42

Diary No. of letter replied to 2151

No. R 3269

dy 19-12-10

General and Revenue Secretariat

( )

, the *19* .

To

The Deputy Commissioner

Mysore Dt

Date of issue 19 Dec 10

Signed by Mr Narasimhan Sir

With reference

to your letter No 301 dy 24/11/1910

forwarding for approval a

draft of an endorsement

proposed by you to be given

to Singamma, I am directed

to state that a copy of this

Office letter No. R 2594 dy 19-11-

which is based on the Govt Notification

On the Case may be furnished to the

over.

SUBJECT.

to Sugamma's Advocate

~~solicitors~~ for the Ladys

information ~~Send it to~~

~~on the for Advocate of~~

Thanks

4/13/40

M.L. Sendas

Received

M.L.S
6/12/40

List of enclosures,

Copied by Mahalingam 17/12/40

Examined by

7/12

GPE—30,000—12-8-10